

ORDINANCES INTRODUCED

41.61.16 **AN ORDINANCE AMENDING CHAPTER 359 (VEHICLE AND TRAFFIC) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO FINE COLLECTION FOR TRAFFIC INFRACTIONS.**

42.61.16 **AN ORDINANCE RENAMING LOUGHLIN ST. TO “SANDIDGE WAY.”**

RESOLUTIONS INTRODUCED

48.61.16

**A RESOLUTION AUTHORIZING THE PROVISION OF AN
ADDITIONAL FIVE BUSINESS DAYS FOR PEOPLE WHO
QUALIFY FOR THE ENHANCED STAR TAX CREDIT OR THE
SENIOR CITIZENS EXEMPTION TO PAY THEIR TAXES
WITHOUT INTEREST OR PENALTY.**

Council Member introduced the following:

Ordinance 41.61.16

**AN ORDINANCE AMENDING CHAPTERS 359 (VEHICLES AND TRAFFIC)
OF THE CODE OF THE CITY OF ALBANY IN RELATION TO THE COLLECTION
OF PARKING FINES AND SURCHARGES.**

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. Section 359-121 of Chapter 359 of the Code of the City of Albany is amended to read as follows:

D. Any fine or surcharge stemming from a violation of any part of this section, which has not been paid within six months of the date which payment to the City is required, shall have the cost of collecting such fine and added to the total amount due to the City. If the City contracts with an external party for the collection of delinquent fines, the cost of collecting the fine shall be whatever costs are associated with the performance of that external party.

Section 2. This ordinance shall take effect immediately.

**APPROVED AS TO FORM
June 1, 2016**

Corporation Counsel

TO: Nala R. Woodard, City Clerk
FROM: Marisa Franchini, First Senior Assistant Corporation Counsel
RE: Request for Common Council Legislation
Supporting Memorandum
DATE: June 6, 2016

ORDINANCE NUMBER 41.61.16

TITLE

AN ORDINANCE AMENDING CHAPTER 359 (VEHICLE AND TRAFFIC) OF THE CODE OF
THE CITY OF ALBANY IN RELATION TO FINE COLLECTION FOR TRAFFIC
INFRACTIONS

GENERAL PURPOSE OF LEGISLATION

This addition to the City code would allow for the cost of collecting parking infraction fines to be added to the amount due to the City if the fines have not been paid within six months of the date required. This would include the cost the City may incur upon contracting with an external party for the collection of delinquent fines.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

This ordinance amends local law in relation to the penalties for parking violations.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

As soon as practicable.

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

Unknown at this time.

Council Member O'Brien introduced the following:

Ordinance Number 42.61.16R

**AN ORDINANCE RENAMING LOUGHLIN STREET TO SANDIDGE WAY
HONORING THE LIVES OF JESSE AND THERESA SANDIDGE**

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. In recognition of the life of Jesse and Theresa Sandidge a street sign reading "Sandidge Way" shall be permanently fixed replacing the existing street sign that reads "Loughlin Street."

Section 2. This ordinance along with a request to preserve the name "Jesse and Theresa Sandidge Way" even after the neighborhood is demolished, shall forthwith be forwarded to Nancy L. Zimpher, Chancellor of the State University of New York or her successor.

Section 3. This ordinance shall take effect immediately.

**APPROVED
May 27, 2016**

Corporation Counsel

To: Nala R. Woodard, City Clerk
From: William G. Kelly, Jr., Senior Assistant Corporation Counsel
Re: Supporting Memorandum
Date: June 6, 2016

ORDINANCE NUMBER 42.61.16

**TITLE: ORDINANCE RENAMING LOUGHLIN STREET TO SANDIDGE WAY
HONORING THE LIVES OF JESSE AND THERESA SANDIDGE**

GENERAL PURPOSE OF LEGISLATION:

To permanently rename “Loughlin Street” as “Sandidge Way.” In 1961 Jesse and Theresa Sandidge were the first African-American family to purchase a home on Loughlin Street near Fuller Road in Albany, where upon their arrival they encountered discrimination and hostility. Their story was chronicled in 1965 by then Times Union reporter William Kennedy in a series of articles regarding changing demographics in Albany neighborhoods. Through the strength and perseverance of the Sandidge Family, Loughlin Street became an integrated neighborhood of four African-American families and five Caucasian families whose adults and children socialized harmoniously together and made Loughlin Street into a remarkable neighborhood.

Theresa Sandidge continued to be a pioneer becoming the first African-American president of the Albany School District Parent Teacher Association. Following her early death in 1968 a Times Union editorial mourned her death as a “grievous loss to the community” and praised her work “to free Albany from the mire of prejudice.” In 2014 and 2015 all nine of the homes on Loughlin Street were purchased and are slated for demolition to make way for the expansion of the SUNY Polytechnic Institute College of Science and Engineering. Even though Loughlin Street as a residential street will no longer exist, the legacy of Jesse and Theresa Sandidge, and other families who enriched it as a harmonious and integrated neighborhood in which to live, must continue.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW:

Pursuant to Second Class Cities Law Sec. 99, the names of city streets may only be altered by ordinance approved by the City Council.

FISCAL IMPACT: None.

Council Member introduced the following:

Resolution Number 48.61.16R

A RESOLUTION AUTHORIZING THE PROVISION OF AN ADDITIONAL FIVE BUSINESS DAYS FOR PEOPLE WHO QUALIFY FOR THE ENHANCED STAR TAX CREDIT OR THE SENIOR CITIZENS EXEMPTION TO PAY THEIR TAXES WITHOUT INTEREST OR PENALTY.

WHEREAS, Section 925-B OF THE New York State Real Property Tax Law permits the City Of Albany to provide an additional five (5) business days for certain persons 65 years of age or older to pay their taxes without interest or penalty; and

WHEREAS, the grant of an extension to such individuals to pay their taxes provides additional time to them to budget for these expenses; and

WHEREAS, the Treasurer has opined that the financial impact to the City Of Albany would be negligible;

NOW, THEREFORE, BE IT RESOLVED, that the City of Albany Common Council, does hereby authorize an extension of five (5) business days for the payment of taxes without interest or penalty to any resident of the City Of Albany who has received an exemption pursuant to subdivision four of section four hundred twenty-five (Enhanced Star) or four hundred sixty-seven (Senior Citizens Exemption) of the New York State Real Property Tax Law related to a principal residence located within the City Of Albany. If the taxes are not paid by the conclusion of the extension period, those taxes shall be subject to the same interest and penalties that would have applied if no extension had been granted.

To: Nala R. Woodard, City Clerk
From: Marisa Franchini, First Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: June 6, 2016

ORDINANCE NUMBER: 48.61.16R

TITLE

A resolution authorizing the provision of an additional five business days for certain persons 65 years of age or older to pay their taxes without interest or penalty.

GENERAL PURPOSE OF LEGISLATION

To give certain senior citizens an additional five days to pay their property taxes.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Section 925-b of the New York State Real Property Tax Law requires the governing body of a municipality to authorize an extension of five business days to such senior citizens.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

N/A

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

None.

Council Member introduced the following:

Resolution Number 49.61.16R - MC

**RESOLUTION OF THE COMMON COUNCIL APPROVING THE TRANSFER
AN AMOUNT TO EXCEED FOUR PERCENT OF THE TOTAL CITY BUDGET FOR
THE YEAR 2014 TO VARIOUS ACCOUNTS IN ACCORDANCE WITH CITY
CHARTER SECTION 604**

WHEREAS, Albany City Charter Section 604 requires Common Council approval for budgetary transfers in excess of four percent of the total annual budget; and

WHEREAS, the Treasurer has calculated year-to-date transfers to ensure that they do not exceed allowable transfers; and

WHEREAS, four percent of the 2014 budget totals \$6,951,848.00 and the final reconciliation of the 2014 budget requires an amount in excess of transfers permitted pursuant to the Albany City Charter; and

NOW, THEREFORE, BE IT RESOLVED, the Common Council approves the transfer of the following funds from various accounts being more particularly described in Attachment “A” and Attachment “B”, which are attached hereto and made a part hereof this resolution.

To: Nala R. Woodard, City Clerk
From: Marisa Franchini, First Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: June 6, 2016

ORDINANCE NUMBER

TITLE

A resolution approving several budget transfers from the 2014 budget.

GENERAL PURPOSE OF LEGISLATION

To close out the 2014 budget.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Section 604(D)(b) of the Charter requires that the Common Council approve all transfers of budgeted funds that exceed 4% of the total annual City budget in any given year.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

N/A

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

None.

MESSAGE OF NECESSITY

FOR EMERGENCY LEGISLATION NOT LISTED ON THE PRINTED AGENDA (MAJORITY CONSENT REQUIRED): I certify that the attached legislation requires immediate attention and cannot wait for introduction at the next regularly scheduled Common Council meeting of June 20, 2016. I ask for placement on the agenda for introduction at the meeting of June 6, 2016 by majority consent.

Reason for requesting majority consent: In order to close-out the 2014 budget.

Attachment A: Detail and Explanation of 2014 Close-Out Transfers

Close-out of the 2014 Fiscal Year requires a number of transfers to balance shortfalls in various accounts. The vast majority of transfers consist of minor adjustments between salary lines to reflect actual payroll costs; there were several shortfalls in health insurance budgets for active employees and social security costs within individual departments, although citywide, both spending categories were within budget. By far the largest transfer is to cover a \$4.6 million shortfall in retiree health insurance costs as the result of under-budgeting. That shortfall is covered by transfers from other accounts within the Undistributed Employee Benefits category (NYS Employee Retirement Systems account; Workers' Compensation account; Workers' Compensation Administration Account and other, smaller transfers). A \$1.4 million transfer from the Police Department retirement account was also necessary to fully make up for the retiree health insurance shortfall.

Explanations, by Department, follows:

Admin. Services/Personnel: Several minor transfers out of various salary lines as well as health insurance and Social Security accounts were necessary to cover a shortfall in required Longevity payments.

Assessment and Taxation: A small shortfall in Health insurance was covered by a transfer from Social Security.

Buildings & Regulatory Compliance: Some small adjustments between salary lines were made to reflect actual payroll costs. The largest adjustment was an \$85,300 transfer from Central Garage (motor vehicle costs) to cover actual demolition costs.

Capital Hills at Albany: A minor shortfall in actual utility costs was covered by underspending in Health Insurance.

Central Maintenance: Shortfalls in utilities and telecommunications budget lines were covered by transfers from various salary lines, social security and health insurance.

City Boxing Program: Very minor adjustments among non-personal service accounts to reflect actual expenses.

Control of Animals: Overall, this sub-department within the Police Department ended the year with an \$8,600 shortfall, primarily for Public Safety/Operations payroll (on-call payments to officers) and health insurance. Transfers from the Police Department proper covers these shortfalls.

Debt Service: \$386,400 in underspending for debt service on serial bonds was transferred to cover a shortfall in interest costs on serial bonds. Overall, debt service (principal and interest) was within budgeted amounts.

Department of Recreation: Excess funds in the Public Safety/Operations account cover small shortfalls in other salary accounts. Excess funds in Contracted Services covers shortfalls in utilities and social security.

Fire and Emergency Services: The largest variance (\$-1.4 million) is in the Public Safety/Operations salary line, attributable primarily to retroactive payments resulting from binding arbitration. \$53,000 of the accumulated sick leave shortfall is also attributable to binding arbitration. This shortfall is covered by a transfer from the Retirement account, which ended the year under budget. Underspending from delayed filling of vacancies in the Supervisory salary line was used to cover minor shortfalls in Executive salaries, accumulated sick leave and overtime. Overspending in the Utilities and Workers' Compensation accounts is covered by transfers from the Health Insurance account.

General Services Admin: Underspending in Professional/Technical payroll covers a minor shortfall in Executive payroll. Underspending in Contracted Services covers utility actual costs.

Housing & Comm. Development: Underspending in Professional/Technical payroll covers small shortfalls in other payroll lines. Underspending in health insurance covers a shortfall driven by actual retirement costs.

IT Unit: The IT Unit's ended 2014 with a negative balance of about \$7,600, due to under-budgeting of health insurance costs. This shortfall was covered by a transfer from the Mayor's Office health insurance account.

Law Dept: Very minor adjustments between payroll accounts.

Maintenance of Streets: Very minor transfers between employee benefit lines.

Office of Audit & Control: Small transfer to cover health insurance shortfall.

Police Department: A \$383,000 shortfall for Public Safety/Operations payroll was driven by \$667,000 in unanticipated buyout costs. This shortfall was covered by transfers from other salary lines, primarily the Clerical line reflecting the fact that positions were left unfilled for a period of time. Reimbursable overtime (7198) was under-budgeted in 2014. Overtime incurred by officers who must appear in court at the request of the District Attorney (7199) is outside of APD's control and overspent by \$363,000. All APD budget shortfalls were covered by transfers from other lines within the APD budget, plus the Department covered shortfalls in retiree health insurance and other undistributed employee benefits.

Public Safety Communications: Very minor adjustments between salary lines and non-personal service lines.

Special Items: Judgments and claims exceeded the budget by \$162,300. This shortfall was covered by underspending in unallocations and taxes/assessments.

Street Lighting: This is a National Grid cost covered by a transfer from the Police Department.

Swinburne Recreation Facility: Underspending in utilities covered a minor shortfall in Temporary Help.

Traffic Engineering: Contracted Services spending exceeded budget due to the National Grid electricity charges for traffic signals within the City of Albany. The monthly rate fluctuates even though the number of signals remains constant. We are moving toward LED lights and metered signals so we should save money moving forward.

Undistributed Employee Benefits: As stated above, retiree health insurance costs exceeded the budget by \$4.6 million. This shortfall is covered by transfers from the Police Department (\$1,792,600), NYS retirement system (\$1,956,600), Workers' Compensation Administration (\$448,700), and much lesser amounts from other Undistributed Employee Benefits lines.

Unknown – A.7180.42: This is an APD grant. Very minor adjustments are made to reflect actual expenses.

Waste Disposal (Landfill): Very minor adjustments between salary lines and between non-personal service lines.

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